Dear Friend,

Mrs. Clarke, widow of Thomas Clarke one of the great heroes and martyrs of Easter Week, will be in San Francisco soon in the interests of the Irish Republic.

On Thursday evening next, March 27th, a meeting of those who have stood true to the principle of the right of the Irish people to freedom, will be held in K. R. B. Hall, 1133 Mission Street to arrange a mass meeting.

The cause of the Irish Republic looks brighter and more hopeful today than at any time since the signing of the agreement of December, 1921.

Do not fail to attend the meeting next Thursday evening.

Yours for the Irish Republic,

Kathleen Fitzsimmons, Secretary.

COME AND HEAR

THE TRUTH ABOUT IRELAND

FROM

FATHER MICHAEL O'FLANAGAN

Vice-Pres. Sinn Fein Party

HIBERNIAN HALL

454 Valencia Street

TUESDAY EVENING, SEPT. 19TH

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Public Invited



MEETING OF AMERICANS FOR IRISH INDEPENDENCE

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608

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45 MINUTES IN IRELAND ACT II.	7
PEGGIE O'BRIEN ACT II.	
Songs of Ireland	
ACT III.	
EMMETT MOORE	Himself
In "A Merry Ramble 'Round Ireland'	
ACT IV.	
IRELAND A NATION	Photonlay
First Part	notopiaj
Intermission of 5 Minutes	
ACT V.	
IRELAND A NATION	Photonlay
Second Part	Hotopiaj
ACT VI.	· · · · · ·
EMMETT MOORE AND THE IRISH PLAY	FDS
In The Playlet "IRISH LIBERTY" By Walter M	
CAST OF CHARACTERS	Tontague
	Handawaan
SIR PATRICK CONDON, A Wealthy Landlord Mr.	olon Omiol
EILEEN, His Daughter H MRS. O'MOORE, Mother of Rory M	cien Uniei
MRS. U'MUURE, Mother of Rory	and Leany
DINNY, The Piper	Mar Dowle
DINNY, The Piper	May Burke
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RORY O'MOORE, The Irish Minstrel	nett Moore
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EX LIBRIS-ALEXANDER THOMAS LEONARD, JR. MEDICAL EESERVE CORPS UNITED STATES ARMY no Camponii ca BAN FRANCISCO, CALIFORNIA the Line of management Company Mr. Minister especial reported and approximation of the MOTIVAL A GUALLIAM. NO ESTABLISHED TO LEAD AND THE Barren Barre A CONTRACTOR The Literal Committee of the A STATE OF THE SERVICE OF THE SERVIC and the speciment of the The Comment of the straight and the stra reflection to a surface of the surfa enzisha at sas Viley I Nam W TO THE PERSON assest Tail later to except the



Unjust Imprisonment of Irish Patriots.

CONVICTED UNDER ANOTHER.

Irish=American Citizens Driven Mad
through Incarceration in
British Dungeons.

Extracts from speech delivered by THOS. B. O'BRIEN, Esq., of San Francisco, Cal., before Amnesty Committee, May, 1893.



The question of amnesty for certain Irish prisoners in English gaols has of late forced itself into the fore front of the political controversies of the day. Whatever else Irish Nationalists may be divided upon, there is absolute unanimity in their ranks upon the question of amnesty. In England feelings of indifference upon the matter seem to be giving way to a desire for information on the part of many of the people, but also to stimulate a new outburst of anti-Irish prejudice on the part of others. In America the friends of the cause of Irish liberty are being aroused in the humanitarianism that is aiming to sever the shackles that bind the limbs and distract the reason of the Irish political prisoners.

The first ground upon which we base our demand for amnesty is that Daly, Egan, and their compatriots were entitled to be considered as political prisoners. If I can establish their title in this respect, I cannot conceive how our demands for their release under present circumstances can reasonably be resisted. distinction between an "ordinary criminal" and a "political offender" is as plain in Ireland as in every other country in the world. The essence of all criminality is, after all, in the intention. The man who breaks the law, no matter what his motive, must no doubt submit to the penalty, but the man who breaks that law not from any criminal intent, not from any selfish, sordid, unworthy, or depraved motive, but in order to advance the cause of popular freedom or National right, no matter how dangerous or stupid his methods may be, is, and must be, a political offender as distinguished from an ordinary criminal. Judged by these tests, no one can deny to the convicts in Portland the title of political prisoners. I am not arguing that political prisoners should not be punished. To do so would be absurd, and of course, the measure of punishment must depend upon the culpability and danger of their conduct.

Let us see what were the offenses for which Daly, Egan, and the others were convicted. Upon this matter there is widespread misapprehension in England. There were, according to the returns presented to Parliament on the motion of Mr. Parnell in 1891, sixteen of these Irish prisoners at Chatham and Portland prisons. The names of these prisoners and the dates of their conviction and the terms of their imprisonment were as follows:

*James McKevitt, convicted, Liverpool, July, 1881, sentenced to 15 years penal servitude.

Thomas Gallagher, London, May, 1883; life. Albert George Whitehead, London, 1883; life. Henry Hammond Wilson, London, 1883; life. John Curtin, London, 1883; life. Timothy Featherstone, Liverpool, 1883; life. Patrick Flanagan, Liverpool, 1883; life. Henry Dalton, Liverpool, 1883; life. Henry Dalton, Liverpool, 1883; life. James McCullough, Edinburgh, 1883; life. Thomas Devany, Edinburgh, 1883; life. Henry McCann, Edinburgh, 1883; life.

Terence McDermott, Edinburgh, 1883; life.

*J. F. Egan, Warwick, 1884; 20 years.

J. Daly, Warwick, July, 1884; life.

James George Gilbert, London, 1885; 5 years.

John Duff, London, 1885; 20 years.

Thomas Callan, London, 1888; 15 years.

*Michael Harkins, London; life.

James McGrath, life; dead.

John D. Casey, life; dead.

James Donnelly, life; dead.

The general impression with regard to these prisoners is, that they were tried and convicted of various dynamite offenses. That is not so. Not a single one of these prisoners was so tried or so convicted. The Explosive Substance Act of 1883 was ready at hand. Under its provisions persons convicted of using or being found in possession of dynamite, could have been on conviction sentenced to twenty years under one section and fourteen under another. That statute was never once used and not a single one of these prisoners was convicted of any offense under it. One and all were tried and convicted of treason-felony under the Treason-Felony Act of 1848. That statute was passed to meet the case of John Mitchell and the Young Irelanders. offense with which it deals is what before that date was known to the law as high treason. It is the statue under which all the Fenian prisoners were convicted and Daly and the others were charged, tried and convicted of Fenianism, of levying war against the Queen, upon evidence in many cases, of acts deposed to by informers and as old as the years 1868 and 1870.

By electing to proceed against them under this Treason-Felony Act, instead of under the Explosive Substance Act, the Government must have been moved by the consideration of the weak character of the evidence as to dynamite if it stood alone. In any case, having deliberately chosen to try these men for treason, the Government cannot logically deprive them now of whatever advantage they can reap from being convicted of an essentially and admitedly political crime.

The case of John Daly had attracted more attention than the others, and in many respects it may be taken as typical of them all. Daly was a man well known in the public life of Ireland. He is an educated, able, energetic man, of strong convictions and of great natural eloquence. In his native city of Limerick he was a recognized force in public life, and his name was known for many years all over Ireland as that of a man holding the most advanced Nationalist political views. He had little sympathy with "Parliamentarianism." He was openly and avowedly a "physical force man." That is a Fenian. The portion of the case against him which goes to show he was guilty of treason because of being a Fenian twenty years ago, he has never questioned. A similar case could be proved against thousands of men to-day in Ireland. What I desire to show is that his conviction was for an essentially political offense, and that the evidence given as to dynamite was of an unreliable character. The effect of the indictment upon which he was tried and convicted was fully explained by the

^{*}Released. Michael Harkins was released only to die.

judge who tried the case, and by Sir Henry James, who conducted the prosecution. In his charge to the grand jury of the County of Warwick, on July 30th, 1884, the judge, Mr. Justice Hawkins, said:—

"There were three names only in the calendar to which he thought it necessary to call their attention. They were the names of men who were charged with a very serious crime, and were described in the calendar as James Francis Egan, John Daly and William McDonnell, and the charge against them was that on the 11th of April, and on divers other days before that day, at the borough of Birmingham they did feloniously compass, invent, devise and intend to deprive and depose the Queen from the style, honor and royal name of the Imperial Crown of the United Kingdom, in order by force and constraint to compel her to change her Parliament, and such compassing, machinations, inventions, did express with and declare by divers overt acts, contrary to the statutes. That was a very grave offense, which was popularly known as treason felony. Treasou-felony was created by an Act passed in the year 1848. The third section of that Act provided that any person within the United Kingdom, to order, by restraint, to compel her or them to change their measures in Council, or to put in force any restraint upon, or intimidate the House of Parliament, or stir any foreigner in the United Kingdom, or any other of her Majesty's dominions, or should commit any overt deed, every such person should be guilty of a felony, and being convicted should be liable to punishment prescribed by the Act. Under that Act the three persons, whose names he had mentioned, would be charged before the jury on the bill that would be presented to them."

These words put it beyond doubt that both Daly and Egan were indicted and tried, not for any dynamite offense, but treason. It is quite true that one of the counts of the indictment charged them with attempting to carry out their treasonable conspiracy by the use of dynamite. That was a mere incident introduced to give a lurid coloring to the picture. No one can read the trial without seeing that, with the exception of one piece of evidence, it was an exact reproduction of the old Fenian trials of twenty-five years ago. The piece of evidence to which I refer was the finding of explosives upon Daly's person when he was arrested. With this matter I will deal fully latter on. Suffice it for me to say here that his conviction of treason-felony rested in no way upon it but upon the evidence of an informer and of certain documents showing that he was a Fenian Organizer so far back as 1868. Here is an extract from the opening speech of Sir Henry James, who as Attorney-General conducted the prosecution, which shows clearly that he presented the case as one of ordinary treason or Fenianism, and not simply as a dynamite offense:

"The prisoners were indicted under the statute passed in 1848, and the charge was known in legal language as that of treason-felony. It differed in some respects from a charge of high treason, and substantially the prisoners were charged that they conspired to levy war and to raise an insurrection and rebellion against the Queen."

If the prisoners were convicted of fenianism, a purely political offense, they are entitled to have their cases considered now as those of political offenders. If this be once conceded, I think it will be impossible to justify their further detention. The last of the Fenian prisoners was amnestied years ago, and the absurdity is patent of refurbishing up this old charge of over twenty years ago, in order to sentence men to penal servitude for life in the year 1883, because they had been rebels in 1867 or 1868.

Daly and Eagan were tried for Fenianism, but they were sentenced for using dynamite. With the evidence upon which it was sought to connect them with the dynamite conspiracy I will now shortly deal. I think I have establised our first ground for amnesty, namely—that they were political prisoners, and that the political offense for which they were convicted has been sufficiently punished by the years of torture which they have endured, and that in the interest alike of justice and of humanity, they should be released.

The state of public feeling in England at the time of the trials was such as to render a fair trial an impossibility.

Every reader of the history of that time remembers the state of excitement that existed; that day by day the public journals teemed with the most sensational rumours of widespread conspiracies, and anticipated disasters and outrages. It was sufficient for an Irishman to be suspected of being connected with the plot to insure his conviction offhand by public opinion. The counsel who defended James Egan was obliged to appeal to the judge regarding the conduct of the press which, while the case was actually at hearing, prejudiced its decision, and spoke of the prisioners every morning as the "Irish Dynamitards." The Courthouse in Warwick was crowded with police armed with revolvers. And every circumstances connected with the trial and the comments upon it in the press, showed the state of extraordinary panic which prevailed. Jurors and those who administer justice, are, after all, human beings like the rest of us; and it is impossible to pretend that in the face of facts such as these Irish prisioners, suspected of being connected with the dynamite conspircay, could receive that fair and impartial trial to which they were entitled, and which in ordinary times they would be certain of receiving.

Daly was undefended. The evidence connecting him with dynamite was of a suspicious character only.

Its truth was never properly tested, and I make bold to say that had as much been known about it at the trial as is known about it now, it would have been utterly impossible for him to have been convicted in the count in the indictment which charged him with endeavouring to carry out the Fenian conspiracy by the use of dynamite. The salient facts upon this part of the case I can state in a few sentences: On the 11th of October, 1883, Daly went to Birmingham and took up his residence in the house of his old firiend, James Egan, who at that time occupied a respectable position in a large business establishment in that city. Daly had long been the object of suspicion on the part of the police as a supposed Fenian. Inspector Stroud swore at the trial that from the 11th of October, 1883, until the 9th of April, 1884, two days before his arrest, the police were never off his track for an hour; they never lost sight of him-and during all that time "they never saw him do anything calculated to arouse suspicion." They had followed Daly for seven months, and never saw him do anything suspicious. Inspector Black gave the same evidence; he said: "I got information about him all the time as to what he was doing. We never lost sight of him."-and he also had never seen him do anything suspicious. On the 9th of April Daly received a telegram, the contents of which were presumably known to the authorities, asking him, in the name of a man who had been years before associated with him in Fenianism, to go to Liverpool to meet him. Accordingly he went from Birmingham to Liverpool upon that day. Inspector Blake swore he was followed by detectives as usual. In Liverpool, by some strange chance, the detectives "lost him for the first time for seven months, and, according to their evidence, they knew nothing of his movements until eight o'clock on the morning of the 11th of April. At that time Daly appeared at the ticket office of the Birkenhead Railway Station. He was immediately surrounded by a score of plain clothes constables, arrested and searched, and a small parcel which he carried was taken from him, and carefully placed in a bag which one of the constables had ready at hand. This parcel was afterwards found to contain some explosives. This was the story which was told at the trial, and which was entirely untested.

The police swore they knew nothing of his movements after he reached Liverpool on the 9th. How came it then that a score of them were ready waiting for him at the Birkenhead Railway Station at 8 o'clock on the morning of the 11th? Was it mere chance that caused one of the police to bring with him that morning a bag to stow away safely any dangerous substances they might meet with? What became of the "friend" who telegraphed asking Daly to come from Birmingham, and who, it is not denied, handed him the parcel? It is an admitted fact that this worthy forthwith disappeared from Liverpool and has never since been seen or heard of. Why did the police arrest Daly that morning at all, seeing that, during a constant supervision for seven months, they had never seen him doing "anything calculated to arouse suspicion?"

Every attempt made by Daly to trace the sources of the information of the police was peremptorily stopped by the Court.

From the dock the prisoner solemnly protested he did not know why he was sent for from Liverpool; that he did not know the contents of the parcel which had been handed to him just before his arrest, and that, though he did not deny he had been a Fenian, he was in this matter of the dynamite the victim of a police plot. He was not believed. He was found guilty and sentenced to penal servitude for life.

So the matter rested until 1887, when a most extraordinary and sensational development of the case occurred.

Chief Constable Farndale was the head of the police in Birmingham. He had been in command of the officers who "for seven months never lost sight" of Daly, who followed him to Liverpool on the 9th of April and who arrested him on the 11th of last month.

He had not been examined at the trial.

His absence had been commented upon by the prisoner's attorney, but he was not produced.

In the year 1887 the fact was suddenly made public that Mr. Farndale had solemnly stated that Daly was the victim of a police plot, and that the explosives found upon his person had been "planted" upon him by the agent of the Irish police. It seems that the Watch Committee of the Birmingham Corporation had blamed Mr. Farndale for not having arrested the man from whom Daly received the explosives in Liverpool, and that he excused himself by saying that this person was an agent in the pay of the Irish police. This was a terrible accusation, and as might have been expected at once led to inquiries. Alderman Manton, of Birmingham, had a series of interviews with Mr. Farndale, and as a result, forwarded the following letter to Mr. Matthews, the Home Secretary:

"Holly Bank, Edgaston October 6th, 1887.
"Honored Sir:—It is with deep regret that I feel compelled to address you. Three weeks since, at the request of several members of the Watch Committee, Mr. Farndale, Chief of the Birmingham Police, applied to you, asking the favor of an interview for the purpose of laying before you the circumstance which led to the arrest and conviction of the convicts Daly and Egan. The request was made in the hope of obtaining their release, or an order for the investigation of the circumstances connected with their arrest and trial. I am informed by a

brother magistrate that the interview sought has taken place with the following result, viz.: That if the additional evidence favorable to Egan can be produced you will be prepared to give it favorable consideration, but in regard to Daly nothing will induce you to interfere with the verdict. 'Sir, I will take the liberty of stating some of the circumstances connected with the arrest, as they were stated to me twelve months since. Without any preliminary remark, Mr. Farndale spoke as follows: Mr. Alderman Manton you will be surprised when I tell you that the explosives found on Daly were 'planted' on him by the police. I said can it be possible? Mr. Farndale replied, "it really is so.' I said, 'are you absolutely certain?' Mr. F. said, 'I am;' adding, "and I promise you that I will never engage in another such business as long as I live." I felt appalled by the revelation, and after a few days' calm reflection in the presence of a gentleman, Mr. F. said it was not exactly the police who planted the explosives on Daly, but a companion and confederate of Daly, who was in the employment of the Irish police. employment of the Irish police.

"Mr. Farndale added that the explosives were procured in America, and delivered to the confederate of Daly; also that the Irish police authorities supplied cash for the purchase of explosives, and contributed to the support of the confederate. In fact it was a Government-manufactured case got up by the Irish police. Mr. Farndale has stated it as his opinion that Daly had never been associated with dynamitards, and that he would have thrown the explosives out of the window at the first tunnel he came to. Mr. Farndale has stated that but finding the explosives there was no ground for the arrest of either Daly or Egan. With regard to Egan there were great doubts at the time in relation to finding of the canister in his garden. Neither the canister or its contents were worth finding or hiding. Not a few were surprised at his committal for trial, and had you, sir, been counsel for the defense of Egan, I should have heard you say, in your own impressive style that there were no grounds whatever to justify a committal.

ever to justify a committal.

Sir, I have been passing through a most painful ordeal for twelve months. I have earnestly striven by the best means I could think of to obtain some measure of redress for the wrongs inflicted as a result of a vile conspiracy. I verily believe that justice imperatively demands a thorough investigation of the whole case; nor need I conceal from you, sir, that the dread of the same men or other members of the Irish police force may have or may still be perpetrating similar atrocities on others, and imperiling the lives of my fellow-subjects, has had a very considerable influence in prompting my action. Neither time, experience, nor observation has weakened my resolve. Sir, I earnestly plead for your help. The knowledge of this letter is confined to myself. I pray God that He may be pleased to so order events that, as far as possible, the wrong may be redressed, and my soul, which has been terribly oppressed for the long period of twelve months, be relieved of a burden. I remain, Honored Sir,

Yours most respectfully.

Yours most respectfully,

HENRY MANTON."

When challenged upon this matter in the House of Commons, Mr. Matthews, the Home Secretary, fully admitted the extreme gravity of the accusation brought against the police. He stated that an inquiry had been held into the matter, and that he (Mr. Matthews), had satisfied himself that Mr. Farndale, was mistaken. Surely in common justice matters should not be allowed to rest here. Mr. Matthews admitted that Mr. Farndale had not withdrawn his statement or changed his opinion. Mr. Farndale was in supreme control of the police who tracked and arrested Daly. He had ample means of knowledge about the matters which he spoke. The accusation he made was of a terrible character. If true, not only was Daly wrongfully convicted, but the police were guilty of an abominable crime. If false, no punishment could be too severe for the man who fabricated it. Mr. Farndale was not removed but is I think still Chief Constable of Birmingham. His accusation has never been withdrawn. Had he been called as a witness at the trial, and had he sworn that the explosive had been "planted" upon Daly, does any sane man believe it would have been possible to obtain a conviction? Mr. Farndale was not examined, and Daly was convicted. I do not think I am putting the case too strongly when I say Mr. Farndale's revelation throws the gravest doubt upon the methods by which convictions in all of these cases was obtained. If this be so, is it an unreasonable thing to ask now for a remission of sentence after over nine years?

The trial of the Walsall English Anarchists, who were convicted as dynimitards, and sentenced to but ten years penal servitute, contrasts most unfavorably with the harsh and merciless punishment inflicted upon the Irish political prisoners, as shown in the foregoing record.

A significant fact in connection with that record is the appalling mortality rate which it exhibits. Out of twenty-one prisoners three passed to eternity within their dungeon walls, and three more who are now deprived of the inestimable boon of reason—are so shattered in health that their names cannot fail to be soon enrolled in the long calendar of victims of English misrule.

Penal servitude must of course mean for the Irish prisoners, for men of education and of active mental habits, a far greater torture than for the ordinary criminal. I know their health has broken down. Upon this ground alone a strong case for their release could be made out. I prefer, however, to rest our demand upon broader and more general grounds. I have instanced the cases of Daly and Egan, because, in many respects they are typical of all the others; but I am bound to say that the demand for amnesty now made by the Irish Nationalists in all climes is made on behalf of all the men at present suffering sentences in English gaols for treason-felony.

And that the cases of all American citizens included in the foregoing list should receive the early attention of the Government of the United States.

The crucial hour in the whole history of Ireland is here!

Can those who are flesh of your flesh and blood of your blood count on you Today?

COUNTESS CONSTANCE GEORGINA MARKIEVICZ

who comes to San Francisco to plead for your flesh and blood in Ireland, is one of the most romantic characters in modern history and for this reason she has often been called Ireland's "Joan of Arc." Her achievements in behalf of the people of Ireland place her among the world's great-

Countess Markievicz comes from the old aristicratic Gore-Booth family of Ireland. She was reared in the midst of luxury and comfort. While a young woman she studied art in Paris and there married the Polish Count Casimir Dunin Markievicz.

After her marriage she returned to Ireland and was welcomed into Dublin Castle circles. 1907 she became interested in the Sinn Fein movement and joined a branch of Sinn Fein in

Dublin.

letes.

the young boys in Ireland in bands such as were known in ancient Ireland when all the children of Irish warriors were trained as great fighters and ath-

The Countess has had an especial interest in the welfare of those who work for their daily bread. In 1913 during the strike and lockout in Dublin she personally took charge of a relief kitchen where the strikers, their wives and their children, were fed. As a result of that strike the Irish Citizens' Army was established under the command of Padraig Pearse, and with this force Countess Markievicz fought for Ireland in Easter Week, 1916.

Many the Fianna of were in the Countess' army during the rising of 1916—boys 16 and 17 fighting like young heroes. The Countess was a valiant fighter but once was ordered by the commander of the Irish Republican party to surrender. Sending word to the British officer in charge that she would surrender at a certain hour the military surrounded



COUNTESS MARKIEVICZ will speak in the Civic Auditorium San Francisco, on Sunday, May 7th at 8 P. M.

In 1909 she founded Fianna Eireann, the Irish boy scouts. This was a campaign to enlist all the headquarters of the Countess. At the appointed hour the Countess, wearing the uniform of a lieutenant of the Irish Volunteers, stepped forward to the British officer and kissing her rifle handed it to the After this military. was court-martialed and sentenced to death. This was about the time of the execution of Edith Cavell in Belgium and public opinion was much aroused. It was generally supposed that the wave of indignation might be directed against England should the death of the Countess be carried out. The sentence then changed to penal servitude for life. During the months pending her release the Countess served as a convict among the sweep-ers of English streets and gutters.

She was released in the general amnesty of 1917, but was re-arrested in 1918. So dear was she to the people of Ireland that in the general election of 1918 she was victorious over her opponent, and thus was the first woman ever elected to British Parliament. She refused to take the seat.

For one year the Countess was "on the run." Disguising herself as an old apple woman she went about Dublin, although the secret service force of the British Empire was continuously in search of her. One day on one of the principal streets of Dublin, where hundreds of people were passing by, an old beggar woman asked for alms. The Countess gave of her store. The old beggar woman, seeing the large amount which she had been given, looked up in astonishment at the disguised Countess and after studying her a few moments cried, "Och! the blessings of God on you my beautiful Countess and is it yourself I see?" And this is the woman whom certain parties who are friendly to the British Empire do not want you to hear at the Mass Meeting in the Civic Auditorium on Sunday night on May 7th. What are you going to do about it?

Do not throw this announcement away! Help the good work by passing it on to a friend or neighbor

